99th Congress, 2d Session - - - - - - - - - - - House Document 99-203

STATUS OF BUDGET AUTHORITY

COMMUNICATION

FROM

THE ACTING COMPTROLLER GENERAL OF THE UNITED STATES

TRANSMITTING

A REPORT OF THE STATUS OF BUDGET AUTHORITY MADE AVAILABLE TO THE DEPARTMENT OF ENERGY FOR THE DEVELOPMENT, OPERATION AND MAINTENANCE OF THE STRATEGIC PETROLEUM RESERVE (SPR) AND DEFERRED BY THE PRESIDENT IN HIS THIRD SPECIAL MESSAGE DATED FEBRUARY 5, 1986, PURSUANT TO 2 U.S.C. 685

APRIL 17, 1986.—Referred to the Committee on Appropriations and ordered to be printed

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COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, DC, April 16, 1986.

B-220532.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: This is to advise you of the status of $156.8 million of budget authority made available to the Department of Energy for the development, operation and maintenance of the Strategic Petroleum Reserve (SPR). This budget authority, which we held was being improperly withheld, has now been made available for obligation.

In his third special message for fiscal year 1986, dated February 5, 1986, the President announced a deferral of budget authority appropriated for the SPR, which included $156.8 million that was subject to an earlier deferral. Although the Congress had expressly disapproved the previous deferral of the $156.8 million, the President provided no substantial new basis justifying the reimpoundment. In our report of February 25, 1986, GAO/OGC-86-5, we concluded that the deferral was not permitted under the Impoundment Control Act (the Act), 2 U.S.C. § 681. We advised the Congress, on March 4, 1986, that we contemplated bringing a civil action under section 1016 of the Act, 2 U.S.C § 687, to compel release of these funds. GAO-OGC-86-7.

We have confirmed that on April 11, 1986, the Office of Management and Budget apportioned the $156.8 million, making the funds available for obligation. Accordingly, action under section 1016 is not necessary.

Sincerely yours,

MILTON J. SOCOLAR
(for Comptroller General
of the United States).

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